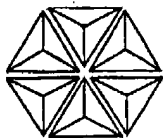



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FROM: Stephen C. D'Amico 
COMPANY: Bristol-Myers Squibb Company
Telephone: (609) 252-5289
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Re: USSN 10/029,345
Filed: DECEMBER 20, 2001
Art Unit: 1652
"POLYNUCLEOTIDES ENCODING NOVEL HUMAN PHOSPHATASES"
Docket No.: D0072NP

If you do not receive all pages please contact
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CASE D0072 NP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1652

JACKSON ET AL.

Examiner: SWOPE, SHERIDAN

APPLICATION NO: 10/029,345

FILED: DECEMBER 20, 2001

FOR: POLYNUCLEOTIDES ENCODING NOVEL

HUMAN PHOSPHATASES

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Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT
WITHOUT TRAVERSE**

Sir:

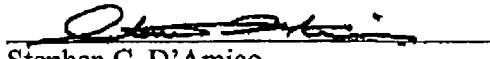
In reply to the Office Action dated May 19, 2004, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, without traverse, drawn to an isolated nucleic acid, vector, host cell and method of use. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

The Office Action further directs Applicants to elect a single invention from the above elected group. Applicants hereby provisionally elect, without traverse, the polynucleotide of Invention D, directed to the polynucleotide of SEQ ID NO:108 encoding the polypeptide sequence provided as SEQ ID NO:109. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicant's response is timely and no extensions are necessary.

If any fee is due in connection herewith, please charge such fee to Deposit Account No. 19-3880 of the undersigned. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to the above-stated Deposit Account.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-5289
Date: June 18, 2004


Stephen C. D'Amico
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Reg. No. 46,652